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Re:	Application of:	Haerberle et al.
	Serial No.:	10/628,977
	Filed:	July 28, 2003
	For:	Method and System for Obtaining Service Information About One or More Building Sites
	Group Art Unit:	2179
	Confirmation No.:	7131
	Examiner:	Nicholas Augustine
	Our Docket No.:	2003P11247US (1867-0157)

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. The review is requested for the reasons stated on the attached sheets. This paper is filed by the Attorney of Record.

I. Reasons for Review

The Examiner has failed to establish that claims 13-16, 18-28 and 30-42 are anticipated by U.S. Patent No. 6,363,422 to Hunter (hereinafter “Hunter”).

In general, the *clear error in the Examiner’s rejection* is in alleging that the claim element “receiving at said web portal a request for information about a status of service activity for one or more building sites”, and the claim element “determining ... a plurality of service activities that are implicated by said request”, are disclosed by Hunter. These elements, or elements very nearly identical thereto, are included in all of the pending claims.

A. The Claim Element at Issue

The claims relate to providing remote access to information regarding service activity of a building sites. Service activity includes any maintenance, repair or similar activities regarding building elements. (See, e.g., Specification at p.2, lines 6-12 and p.8, lines 3-5). Service activity data is distinguishable from normal building control data. Normal building control data is the data used in the building control system to regulate temperature, ventilation, fire safety and security within a building. Accordingly, normal building control data includes information regarding temperature measurements, humidity measurements, active alarms, and ventilation damper position information. Remote access to such building control data is known in the art.

By contrast, *service activity* data clearly refers to repair and maintenance activity data. Building control devices (i.e. a boiler) may periodically receive *servicing*, i.e. repair and/or maintenance, and records are kept regarding such servicing. Information regarding the

maintenance and/or repair of building equipment or building fixtures is distinct from *normal operational data* of building systems, such as current temperature, humidity or flow values.

In general, none of the prior art teaches a system that makes *service activity* information available via a web portal. Service activity information may include work orders, service histories and service contract details, among other things. (See specification at p.8, lines 3-5).

B. Hunter Does Not Disclose or Suggest Web Portal Access to *Service Activity* Information

As discussed above, the Examiner has rejected claims 13-16, 18-28 and 30-42 over Hunter. Hunter fails to disclose a web portal that provides access to the status of service activity in a building site, as claimed.

Similar to other known prior art, Hunter admittedly discloses a system that provides a user with *operational data* about a building control system. (See Hunter at col. 4, lines 60-67). However, Hunter does not disclose or discuss *service-related* information. As discussed above, service-related information is completely different information than *operational data* for a building control system. Indeed, applicants' own specification clearly distinguishes operational data from service-related data. In particular, on page 58 of the specification of the pending application, the exemplary disclosed system allows a user to select to obtain service information, operational data, or both. Thus, service information and operational data constitute, and are treated as, distinct types of data.

Remote access for monitoring and controlling building control systems is admittedly known in the art. However, remote access to service records, maintenance records and the

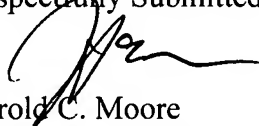
like is not known in the art and is not suggested or taught by Hunter.

Accordingly, it is submitted that Hunter fails to anticipate claims 13 and 25, each of which includes limitations regarding “receiving at said web portal a request for information about a status of service activity for one or more building sites”, and “determining ... a plurality of service activities that are implicated by said request”. Moreover, the remaining claims all depend from claims 13 and 25, and are therefore allowable for at least the same reasons.

II. Conclusion

For all of the foregoing reasons, it is respectfully submitted that the application is in a condition for allowance.

Respectfully Submitted,



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